



County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA
Chief Executive Officer

July 22, 2010

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To: Supervisor Gloria Molina, Chair
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From: William T Fujioka
Chief Executive Officer

A handwritten signature in black ink, appearing to be "W. T. Fujioka", written over a horizontal line.

SACRAMENTO UPDATE

This memorandum contains pursuits of County positions on legislation to: 1) remove age restrictions on specified childhood immunizations; 2) allow public entities to submit a request to postpone non-judicial foreclosures of certain multifamily public housing properties; and 3) repeal the January 1, 2011 sunset date to permanently require that notices be given to tenants and public entities upon termination of housing subsidy programs. This update also contains a change of County position on legislation related to the safe surrender of infants; a status on County-sponsored legislation related to reimbursement for special elections; and an update on two County-advocacy measures related to the receipt of ballot materials via electronic mail or by assessing a website and changes to the County's retirement system plans.

Pursuit of County Position on Legislation

AB 354 (Arambula), which as amended on June 23, 2009, would remove certain age restrictions on specified childhood immunizations required for entry into child care or school.

Current law requires children to be fully immunized against certain diseases prior to entry into child care, nursery school, and private elementary or secondary school. Due to outdated age restrictions in the California Health and Safety Code, the California Department of Public Health (CDPH) is currently prohibited from requiring incoming, transferring, or returning seventh grade students to be up-to-date with the Tetanus,

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Diphtheria, and Pertussis (Tdap) vaccine which protects against Pertussis, also known as whooping cough. AB 354 would remove these outdated age restrictions and allow CDPH to require Tdap vaccinations for students prior to entering the seventh grade.

The Department of Public Health (DPH) notes that Pertussis is the only vaccine-preventable disease that has been on the rise in California in recent years. Adolescents can easily catch and spread Pertussis. The Tdap vaccine protects teens and reduces the spread of Pertussis to infants who are most vulnerable to complications. Despite the benefits of the vaccine, Tdap vaccination coverage levels remain low. Required vaccination prior to school entry has shown to improve immunization coverage levels and reduce the spread of disease. According to DPH, AB 354 would improve immunization coverage levels, reduce diagnosis and treatment costs, prevent school closures, and reduce preventable Pertussis illnesses and deaths in California and Los Angeles County.

The Department of Public Health and this office support AB 354. Therefore, consistent with existing Board policy to support proposals that improve immunization coverage levels and reduce the incidence of vaccine preventable diseases, **the Sacramento advocates will support AB 354.**

AB 354 is supported by the American Academy of Pediatrics; American Federation of State, County, and Municipal Employees; California Academy of Family Physicians; California Immunization Coalition; California Medical Association; California School Nurses Organization; California State PTA; and GlaxoSmithKline. The measure is opposed by Capitol Resource Family Impact.

AB 354 was placed on the Senate Appropriations suspense file on June 28, 2010.

AB 2347 (Feuer), which as amended on May 28, 2010, would authorize a public entity that is party to a regulatory agreement or a recorded deed restriction for a property with five or more multifamily units to submit a written notice to a trustee to postpone the foreclosure sale of the property for up to 60 days. Public entities would include a city, county, city and county, and redevelopment agency. The bill also would impose written notice requirements on a public entity and specify that the ability to postpone the sale date may only be exercised one time and by one public entity.

Under current law, a lender is required to file a notice of default in the case of non-judicial foreclosure to proceed with a sale as a result of a default on an obligation secured by real property. Existing law also requires that a notice of sale be given prior to the sale.

The Community Development Commission (CDC) indicates that the Housing Authority of the County of Los Angeles administers Federal, State, and local funds to subsidize the production of affordable housing and to promote homeownership opportunities for low- and moderate-income individuals. AB 2347 may help to preserve affordable housing subsidized by CDC by postponing the sale of properties that would potentially be lost through foreclosure, although none of its projects are currently at risk. The postponement of the sale would allow CDC to provide a loan modification to the borrower or to make funds available to preserve the development. According to CDC, the bill would make it easier for public entities to intervene during the foreclosure process to protect subsidized units and the 60-day period would give public entities more time to clearly assess what measures should be undertaken to ensure the protection of housing assets.

The Community Development Commission and this office support AB 2347. Therefore, consistent with existing Board policy to support proposals that provide incentives to local government to increase and protect affordable housing, **the Sacramento advocates will support AB 2347.**

This measure is sponsored by the City of Los Angeles and is supported by the California State Association of Counties, California Rural Legal Assistance Foundation, League of California Cities, and the Western Center on Law and Poverty. There is no opposition on file. AB 2347 passed the Senate Judiciary Committee by a vote of 3 to 1 on June 29, 2010, and now proceeds to the Senate Floor.

SB 454 (Lowenthal), which as amended on May 27, 2010, would repeal the January 1, 2011 sunset date to permanently: 1) require an owner of affordable housing to provide written notice to the affected tenant households and to the affected public entities before converting a property to market rate housing; 2) require an affordable housing owner to give limited priority to purchase the property to tenants and public entities; and 3) provide an exemption from the notice requirements if specified conditions are contained in a regulatory agreement recorded against the property. Affected public entities would mean the mayor of the city, the chair of the board of supervisor of the county, the local public housing authority, and the California Department of Housing and Community Development. The bill also would modify information provided to prospective purchasers.

The Community Development Commission indicates that SB 454 would assist with the preservation of affordable rental housing developed by the Housing Authority of the County of Los Angeles. According to the CDC, it has six bond-funded projects which provide 311 affordable housing units that will expire in the next five years. The bill would help protect this type of affordable housing in the County by making the noticing

requirements permanent. SB 454 also would help to avoid unnecessarily placing vulnerable low-income communities at-risk for significant rent increases or possible homelessness by ensuring that tenants are informed of the anticipated date of conversion to market rate housing and the owner's intention to participate in any current replacement subsidy program made available to affected households.

The Community Development Commission and this office support SB 454. Therefore, consistent with existing Board policy to support proposals that provide incentives to local government to increase and protect affordable housing, **the Sacramento advocates will support SB 454.**

This measure is sponsored by the California Coalition for Rural Housing, and the California Rural Legal Assistance Foundation, and is supported by the California Housing Partnership Corporation, the City of Los Angeles, and the Western Center on Law and Poverty. There is no opposition on file. SB 454 is scheduled for a hearing in the Assembly Appropriations Committee on August 4, 2010.

Change of County Position on Legislation

County-opposed AB 1048 (Torrico), which would have raised the age at which an infant may be safely surrendered from 72 hours or younger to 30 days was amended on July 15, 2010 to delete this provision. Therefore, **the Sacramento advocates will remove the County's opposition on AB 1048 and take no position on this measure.**

The measure retains provisions which would allow a city fire agency to designate safe surrender sites with the approval of the local governing body, specify that persons at a safe surrender site have no liability prior to taking physical custody of a surrendered infant, and require the California Department of Social Services to provide a report to the Legislature on the effect of the Safe Surrender Program on or before January 1, 2013 and each year subsequently. AB 1048 is awaiting a vote on the Senate Floor.

Status of County-Sponsored Legislation

County-sponsored AB 496 (Davis), which would require that all expenses incurred in the preparation for and conduct elections called by the Governor to fill a vacancy in the office of State Senator, Member of the Assembly, United States Senator or Representative in Congress, be paid by the State, was amended on July 15, 2010. The amendments would provide that reimbursable expenses incurred by counties for elections that occurred in 2010 would not be reimbursed prior to FY 2011-12. The

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amendments also add an urgency clause which would make this legislation effective immediately if passed by the Legislature and signed by the Governor.

The language in AB 496 was originally contained in County-sponsored SB 994 (Price), but because SB 994 was held on the Senate Appropriations Committee suspense file, the Sacramento advocates worked with Assembly Member Davis to transfer the language to AB 496, which became the new vehicle for this County-sponsored legislation.

This measure is currently in the Senate Rules Committee awaiting referral to a policy committee.

Status of County-Advocacy Legislation

County-supported AB 1717 (De Leon), which as amended on June 10, 2010, would: 1) authorize county and city election officials to offer registered voters the choice to opt out of receiving ballot materials by mail and choose to receive the materials via electronic mail or by accessing a website; 2) specify that voter's electronic mail addresses or any other information provided by the voter shall remain confidential; and 3) establish a procedure to allow voters to opt back into receiving materials by mail, was signed by the Governor on July 19, 2010, and it is Chapter 119, Statutes of 2010. The measure becomes effective January 1, 2011.

County-supported AB 1902 (Portantino), which as amended on March 9, 2010, would: 1) adapt provisions governing Plan E of the Los Angeles County Retirement System by crediting of service in the County's new semi-monthly payroll system; 2) allow a disabled member who transferred to Plan D, but does not meet the two-year service requirement for disability retirement, the ability to transfer back to Plan E to allow the member to continue to be eligible for the County's long-term disability benefits; and 3) authorize non-retired Plan E members to use current, forfeited, and vested membership periods, when meeting reciprocity requirements for purposes of determining age of entry, was signed by the Governor on July 15, 2010, and it is Chapter 86, Statutes of 2010. This measure becomes effective January 1, 2011.

We will continue to keep you advised.

WTF:RA
MR:VE:IGEA:sb

c: All Department Heads
Legislative Strategist